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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4835/2019**

BIRHAM SINGH TANWAR & ANR Petitioners

Through Mr. Jogender Kumar, Adv.
with the petitioner in person

versus

STATE (NCT OF DELHI) & ORS Respondents

Through Mr. Ashok Kumar Garg, APP
with IO in person
Mr. Sameer Chandra, Adv. for
R-2 to 4 with R-2 to 4 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
29.11.2019

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1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.427/2016, under Sections 323/354/356 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Palam Village, Delhi and the proceedings emanating therefrom.
2. The petitioners and respondent Nos.2 to 4 as well as learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force or coercion vide a Memorandum of Understanding dated 30.7.2019.
3. Copy of the Memorandum of Understanding dated 30.7.2019 is placed on record today in the Court.

4. Respondent Nos.2 to 4 have reiterated the aforesaid facts and submitted that since the matter stands settled, they have no objection to the petition being allowed and the FIR being quashed.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent Nos.2 to 4 and has also verified the settlement.

6. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.20,000/- for some social beneficial cause in any trust or association.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the age and socio-economic background of the petitioners, I deem it appropriate to give the petitioners a chance to reform and reintegrate into the society as productive members. The petitioners are warned to be careful in future and to not indulge in such activities again. Taking into consideration the remorseful attitude of the petitioners, this Court is also of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.427/2016, under Sections 323/354/356 of the IPC, registered at P.S.: Palam Village, Delhi and the proceedings emanating therefrom are quashed subject to deposit of Rs.20,000/- by the petitioners within 14 days, out of which Rs.5,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- in the Prime Minister's National Relief Fund and Rs.5,000/- in the Delhi High Court Staff Welfare

Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court and receipts of the deposits be filed in the Registry within 21 days. Copy of the receipts shall also be handed over to the APP through the I.O. within one week thereafter. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 29, 2019/rk